

Reviews of Fiji and Papua New Guinea are not included in this issue.

NEW CALEDONIA

For a nonelection year, 2003 proved to be an eventful one in New Caledonia. This was the 150th anniversary of French annexation and also the fifth year of the landmark Noumea Accord peace agreement between pro-independence Kanak and loyalist French residents and their respective allies. French President Jacques Chirac visited, as did other metropolitan officials, to give assurances of State support for the ongoing processes of economic development and devolution of governing powers to the territory over the next fifteen years, and to encourage further negotiations to resolve lingering issues. It was a time to reflect on the results of the accord so far and to prepare for the 2004 provincial elections. The role of New Caledonia and other French Pacific territories as vehicles for French initiatives in the region, and the issue of Polynesian migration from Wallis and Futuna—and the consequent Kanak-Wallisian violence in St Louis—generated further debate, as did the location of an important Kanak identity symbol in Noumea, the capital.

In March, Elie Poigoune, a Kanak teacher who is president of the New Caledonia chapter of the League of the Rights of Man (LDH), traveled to Paris to inform the parent organization (equivalent to the American Civil Liberties Union) about the status of New Caledonia. LDH lawyers had

defended Poigoune and other anti-colonial activists in the 1970s, and one of them, Jean-Jacques de Félice, was on hand to welcome his old comrade. Poigoune outlined the division of his country between the Kanak-ruled Northern Province and the European-ruled South, and told of the many challenges presented by multinational nickel mining projects in both provinces. The LDH-NC had joined the South's local opposition to the Goro/Prony arrangement with Inco of Canada, because of the low royalty payments it will pay to the province and territory (only 10 percent compared to the 51 percent ownership of the North in its partnership with Falconbridge of Canada); the hiring of foreign workers; and the lack of consultation with local chiefs and environmentalists. Poigoune also raised the issues of the planned cohabitation between Kanak custom and French law, the need for further development in education and health care for the disadvantaged, and the limited freedom of expression available in the local press and other media. Despite the transfer of some powers to the territory, key problems remained, such as the creation of a local citizenship; identity issues such as a name for the country (he proposed Kanaky New Caledonia); the underdeveloped role of the new Customary Senate; and the growing gap between rich and poor—including most Kanak. The LDH-NC recommended that Kanak continue the struggle for decolonization, because

the Noumea Accord recognized their identity but did not guarantee their independence; and that non-Kanak Caledonians stop fearing the Kanak, try to understand Kanak culture better, and seek an equilibrium between the two communities in order to build a common destiny (LDH-NC 2003).

Rock Wamytan, former president of the Front de Libération Nationale Kanak et Socialiste (FLNKS) and current Minister of Cultural Affairs in the territorial executive, also traveled to Paris in March, to speak with Brigitte Girardin, the French Minister for Overseas Departments and Territories. He asked for more direct intervention by the French State to “unblock” the Noumea Accord process on several fronts, because the opposing camps were not communicating constructively. More progress was needed in land reform to help the colonially dispossessed Kanak, he said, and he wondered if it would be necessary to turn to the United Nations or Ligue des Droits de l’Homme for help. He also asked that the electorate issue be resolved, instead of waiting until 2008 to limit voters on territorial issues to long-term residents. He admitted that the FLNKS, which still lacked a president to replace him, would have to elect one soon in order to mobilize for the May 2004 provincial elections. Wamytan then traveled on to Canada to meet with Inco and Falconbridge (NC, 8 March 2003).

In early May, the Noumea daily, *Les Nouvelles-Calédoniennes*, ran a series of articles about the fifth anniversary of the Noumea Accord, calling it the foundation of the country’s institutional system. The series explained in detail the negotiation

process that had led to loyalist Jacques Lafleur’s “consensual solution” of 1998, which caused the French State to revise its own national constitution so as to legalize the “Caledonian exception” to what had been an indivisible, highly centralized republic. It reminded readers that the preamble of the accord acknowledged the injustices inflicted on the Kanak by French colonization and promised “irreversible” devolution of governing powers to the territory, though Lafleur envisioned the outcome to be a common destiny with France while Wamytan saw full independence as the goal, with the Kanak people as the core of a new nation. Lafleur praised the restoration of peace the accord had achieved, while Wamytan pointed to still-unresolved issues, such as favoring local citizens in hiring, and a lack of collegiality in the territorial executive—which is dominated 8–3 by Lafleur’s loyalist Rassemblement pour la Calédonie dans la République (RPCR) and its Melanesian coalition ally, the Fédération des Comités de Coordination Indépendantistes (FCCI) (NC, 5–8 March 2003).

Pierre Frogier, president of the territorial executive and deputy to the French National Assembly, told his colleagues in Paris that although the anglophone Pacific Island states were falling into anarchy, “We have the ambition . . . to ensure that New Caledonia does France proud” (PIR, 10 June 2003). He hailed the path of reconciliation and peace adopted in his country and said that continued development of nickel mining and processing would make New Caledonia, richly endowed with one third of the world’s nickel reserves, a leading

producer that is geographically close to emerging markets for stainless steel in China and India. On his return to Noumea after a month in Paris, he said, "It is necessary to be present in Paris and to work according to Parisian methods, not Caledonian methods." He had to repeat over and over to government officials and business leaders in the French capital that New Caledonia, unlike other overseas territories, has an industrial and mining base for development. He also helped to prepare Girardin for her visit the following week to attend a meeting of the follow-up committee of the Noumea Accord in Koné, in the North, and to prepare Chirac for his visit to New Caledonia in July and for Chirac's subsequent meeting in Tahiti with leaders of French and anglophone Pacific countries (NC, 13 June 2003).

Girardin arrived in mid-June for her third visit to New Caledonia, to encourage the Noumea Accord partners, the FLNKS and RPCR, to dialogue frankly and constructively to see to it that the agreement's goals were met. Frogier said the RPCR's quest was for development in the interests of all the inhabitants, especially in mining: "Nickel is the future of New Caledonia and we must not fail!" Paul Neaoutyine, Kanak president of the Northern Province and a leader of pro-independence Palika (Parti de Libération Kanak), noted that Girardin said that violence was no longer necessary to resolve difficulties, and although she hedged on the electorate issue, she assured him that the financing of and technical advice for the new nickel project in the North were secure. Wamytan regret-

ted that the Union Calédonienne (UC), of which he had once been president, had boycotted the meeting in Koné because of the electorate issue (NC, 17 June 2003; PIR, 17 June 2003). Lafleur said that the RPCR understood the importance of the voting issue to the FLNKS but that did not mean he had actually accepted the concept of freezing the electorate to include only those who were long-term residents in 1998 and their descendants; he did vow to promote greater collegiality (ie, to share decision-making) in the territorial executive with the FLNKS (NC, 18 June 2003). On her way to Koné, Girardin visited Ouvea, the island where French special forces killed nineteen Kanak militants after they had killed six police and soldiers and had taken twenty-seven hostage, during Chirac's first election campaign for the French presidency. Girardin paid homage to the dead on both sides in that tragedy, which had in turn led to the 1989 assassination of Kanak peacemakers Jean-Marie Tjibaou and Yeiwene Yeiwene by a Kanak separatist on that island (PIR, 25 April, 18 June 2003).

In late July, President Chirac arrived, for his first visit in fifteen years. Lafleur paved the way by saying that Chirac had great affection for New Caledonia and admired its ethnic mosaic and evolution toward consensus. He also clarified that "collegiality does not mean consensus and that consensus does not mean collegiality." He further warned, echoing Frogier and other French leaders, "All Caledoniens must understand well, in looking at other countries in the Melanesian arc, how essential it is to

have the support of a great nation. . . . If we make a bad choice, we risk failure. If we decide to stay within the French nation, then this country will be heading towards hope" (NC, 19 July 2003). A few days later, Chirac himself congratulated New Caledonia for having the will, after so much suffering, to construct its future "in peace and respect for others." He praised both Lafleur and Tjibaou, who had signed the Matignon Accords in 1988, and vowed to remain vigilant so that the territory would achieve its great potential and also play a key role in the Pacific. He planned to revive French economic and technical aid in the region, using New Caledonia, French Polynesia, and Wallis and Futuna as intermediaries, because "France is an agent for stability in the South Pacific" (NC, 23 July 2003).

Local leaders had high hopes for Chirac's public speech in the Place des Cocotiers in Noumea. The FLNKS called on its followers to attend and listen carefully, as did the loyalists, while labor unions hoped to hear support for the local hiring and citizenship issues as well as improved social programs, and the right-wing National Front expected Chirac to clearly reject the restricted electorate idea. Said Guy George, "If the electorate is frozen, the Melanesians will be a majority for the referendum [on independence] in 2013 or 2015. It's unacceptable!" Aloisio Sako of the pro-independence Wallisian Rassemblement Démocratique Océanien (RDO) told his followers to listen for the opposite, saying that "the Noumea Accord is an act of reconciliation among all Caledonians." He also criticized the French State for mishan-

dling the Kanak-Wallisian conflict in St Louis. Instead of heeding the RDO's proposal of a customary "Oceanian solution," the State had treated the violence as criminal and allowed the situation to get worse, risking more racism among ethnic groups. Wallisians had come as laborers, he said, not as invaders: "They simply participated in the construction of this country and would now like to have a place in the sun!" Nidoish Naisse-line of the Islands Province-based Libération Kanak Socialiste (LKS) complained about the economic marginalization of the outer islands in current development plans that stress nickel mining and, as a high chief on Mare, stressed the hope that France would ratify the 1989 convention on the rights of indigenous peoples, in order to separate the issues of political independence and cultural identity (NC, 23 July 2003).

Chirac spoke to an audience of thousands on 24 July, while the UC and the militant labor union USTKE (Union Syndicaliste des Travailleurs Kanak et Exploités) protested. He expressed affection, confidence, and hope for New Caledonia's bright future, which would be both "in the Republic and in the Pacific." He avoided the electorate and local hiring issues but vowed to enforce the application of the Noumea Accord, to promote economic progress, and to respect the people's choices: "I like this land." He highlighted the "strategic position" of the territory in the heart of a region that is becoming one of the most important in the world. He promised financial aid, not for dependence, but for sustainable development, adding that France

had recently sent out a message of peace and respect for law and dialogue. In a multipolar world of supra-national groupings (eg, the European Union and United Nations), Chirac said, "I am convinced that the interest of a collectivity, once its personality is respected, its identity is preserved, and its development is assured, lies not in separatism and withdrawal, but to the contrary in adhesion to a larger, united community. That is France's proposition" (NC, 24 July 2003).

Other metropolitan visitors echoed the optimism of Chirac, Lafleur, and Frogier. In August, French diplomat Alain Christnacht, who had played such an important role in negotiating the Matignon and Noumea Accords, visited New Caledonia to promote his new book, *L'Oeil de Matignon* (The Eye of Matignon). He said he hoped the book would stimulate Caledonians to think critically and develop their own opinions about the peace agreements of the past fifteen years. He looked back at the reform proposals of Paul Dijoud in the late 1970s and the Nainville-les-Roches negotiations of 1983, which had laid out compromises similar to what was achieved after the tragic events of the 1980s: "There have been long years of maturing here . . . and people want to stop hitting the wall and to find a door" (NC, 4 August 2003). Christnacht's negotiating strategy had always been to gather the antagonists, help them to speak to each other, write down what divided them and what united them, seek the most common denominators, and postpone for later the hardest issues—for instance, independence. He said that New Caledonia, with its colonially created

ethnic bipolarity, provided a test case for finding ways for different peoples to live together, with "two competing legitimacies that are equally valid" to prevent a sovereignty that either Europeans or Kanak alone can control. "The frontier between dependence and independence has evolved well," he said. "We are in a universe that moves and the conception of independence in 2000 cannot be the same as in 1970" (NC, 8 August 2003).

In September, deputies and senators of the French Parliament came to the territory and concluded that everything was moving in the right direction, noting the progress being made on the Northern nickel plant; what they regarded as collegiality among local leaders; and the prospect of a consensual solution to the electorate issue, while awaiting a decision of the European Court of Justice on restricting local voting rights (NC, 6 Sept, 19 Sept, 2003). Meanwhile, French aid money continued to flow into the territory. Two new Airbuses arrived to help the local regional carrier, Air Calédonie International (or Aircalin), to replace Air France on the Noumea-Tokyo/Osaka route and facilitate rising Japanese tourism (NC, 6 Jan, 13 March 2003), while a third Airbus will provide links to the South Pacific (PIR, 1 April 2003). The smooth transfer of some Air France staff to Aircalin was marred by Aircalin's refusal to hire steward Bruno Van Peteghem, a local Green Party and environmental activist; the LDH protested that political action (NC, 8 April 2003). Robert Xowie and Richard Kaloi of the Islands Province went to Paris to ask for help in transport links between the outer islands

and Noumea, since so many of their constituents migrated to work in the South (NC, 28 Feb, 12 March 2003), but talk of raising fares for Air Calédonie, the domestic carrier, drew protests and blockades of airstrips in the Islands Province. Two ferryboats provide alternative transport (PIR, 15 April, 30 April 2003). The French State provided the equivalent of US\$7 million to improve high school education in the South (NC, 6 March 2003), compared to \$1.2 billion for increasing nickel processing capacity in the North and South, each of which got half (NC, 17 Dec 2003), and just before Christmas, the New Caledonia Congress voted for a 2004 territorial budget of \$1 billion (NC, 24 Dec 2003).

On the regional front, Wamytan attended the thirteenth Conference of Heads of States or Government of the Non-Aligned Countries (NAM) in Malaysia in February, where he discussed the shortcomings of the implementation of the Noumea Accord, such as the collegiality and electorate issues. In Canada afterwards, he raised environmental concerns about the Goro/Prony mining project in the South, where he is a customary chief, and attended the Assembly of First Nations to hear the debate about the impact of the Voisey Bay plant on the Inuits (NC, 25 Feb 2003). France proposed to increase development aid to Pacific Islands countries by 50 percent, with a primary focus on boosting private investment, creating jobs for young people, and improving transportation connections (PIR, 17 March, 30 July, 4 Aug 2003; NC, 30 July 2003), but both the FLNKS and Australia resisted French offers to

contribute troops to the Solomon Islands peacekeeping mission, to avoid giving the intervention a “neo-colonial” look (PIR, 27 June, 3 July 2003). Both the Pacific Forum and Melanesian Spearhead Group (MSG) continued to welcome New Caledonia and the FLNKS as observers and to monitor the movement of French Polynesia toward “overseas country” status (PIR, 22 Aug 2003). Wamytan, the current MSG president, and Oscar Temaru, a pro-independence leader in Tahiti, both spoke out against allowing France to join either organization. They called the Gaston Flosse regime in French Polynesia a Trojan horse for French interests in the region, with Chirac playing “checkbook” diplomacy, and demanded that French Polynesia be put on the UN decolonization list (PIR, 4 Aug 2003; ABC RAN 15 Aug 2003). Chirac said that France would take responsibility for illnesses resulting from French nuclear testing in the Tuamotus, if someone could actually provide proof, but he said all studies so far show that French testing was completely safe (PIR, 30 July 2003).

As New Caledonian political parties began to mobilize for the May 2004 provincial elections, which ultimately determine the composition of the congress and executive as well, dissension continued in both the loyalist and pro-independence camps. Didier Leroux of the loyalist Alliance publicly debated Lafleur on local television in April, criticizing the RPCR-dominated South for giving away mining rights to the Prony site near Inco’s Goro-Nickel project; complaining that the closing of Air France in New Caledonia left the territory with-

out a direct air link to France; warning about the growing social problems of squatter camps around Noumea; and noting the lack of territorial vision because so much authority has been delegated to the provinces (NC, 10 April 2003). He also said the forced relocation of Polynesian families from St Louis approached "ethnic cleansing" and voiced strong opposition to freezing the electorate for provincial elections (NC, 4 July 2003). Within the FCCI, the RPCR's coalition partner, dissidents in the Islands Province in March vowed to strengthen ties with other pro-independence parties (NC, 5 March 2003), while the RPCR paid homage to Melanésians who had long supported it (NC, 7 March 2003). Former RDO leader Tino Manuohalalo, excluded from the FLNKS in 2002, formed his own party in April, the Mouvement des Citoyens Calédoniens, with a loyalist inclination. He vowed to defend the interests of Wallisians and Futunans in New Caledonia while working for a just multiethnic society, and proposed a compromise on the electorate issue: freeze voting rights in the 2018 referendum on independence to those resident for twenty years (ie, since the 1998 Noumea Accord), but allow people of ten years residence to vote in provincial elections (NC, 2 Aug 2003; PIR, 15 April 2003).

Manuohalalo's former boss, Aloisio Sako, was reelected RDO president in February on a platform of working at the grassroots level to improve social and economic conditions for the poor, such as the squatters, and of encouraging more respect and tolerance among ethnic groups, to overcome the sad legacy of St Louis (NC,

17 Feb, 21 Feb 2003). The RDO is a full member of the FLNKS and supports independence, but the FLNKS itself continued to suffer from dissension between the UC, which is increasingly militant, and its other members, Palika and the Union Progressiste Mélanésienne (UPM). Lacking a president (since neither Wamytan and Neaoutyine won decisive support in late 2001), the FLNKS has tried to follow the Palika precedent of operating a political bureau by consensus, but the UC has made that system difficult. The FLNKS congress had to be postponed in December 2002 and again in February 2003 (PIR, 28 Jan 2003). Refusing to appear subservient to Lafleur's RPCR, two out of three FLNKS ministers in the territorial executive still had not left the old offices to move into the new annex of the Southern Province headquarters: Vice-President Déwé Gorodé (Palika) remained in her old office and continued to work there, while Gerald Cortot (UC) remained in his old office without the technical means to work. Only Wamytan (FLNKS) moved into the new offices (NC, 29 Jan 2003). At its own party congress in February, the UC vowed to work for the full implementation of the Noumea Accord, including the frozen electorate and improved collegiality, and refused to participate in an FLNKS congress until its three partners, who have been more pragmatic and willing to negotiate with the RPCR and Paris, adopted the same stand (NC, 19 Feb 2003).

During Chirac's visit, hundreds of UC supporters and the USTKE protested separately against the lack of implementation of key accord provi-

sions, and Pascal Naouna (UC) was later interrogated by the police (NC, 26 July, 10 Sept 2003). While the FLNKS held congresses in May and August, the UC, which celebrated its fiftieth anniversary, either boycotted or demanded postponements, criticizing FLNKS cooperation with the French State, which it said only pretended to be a neutral partner in the Noumea Accord, and warning against Chirac's plans to increase French influence in the region (NC, 13 Aug, 25 Aug 2003). In September, FLNKS spokesman Victor Tutugoro (UPM) noted significant progress toward realization of the new nickel processing plant in the North and said that Chirac had personally promised to help resolve the electorate issue (NC, 1 Sept 2003). In December, the FLNKS tried another congress but still could not elect a president and suspended discussions after one day. Tutugoro said that the consensus system was not working and that another decision-making mechanism (voting?) might be needed, but that delegates had agreed to pursue a broader political strategy in the South, seeking leftist allies and encouraging the many Kanak working there to vote locally instead of in their home villages. The FLNKS planned to try another congress in April 2004, as each party refined its program for the elections. It noted with satisfaction that New Caledonia and Wallis and Futuna had signed a special accord in Paris, whereby France would spend more money developing the latter territory in order to deter more Polynesian immigration to the former, that land reform continued in the South, and that a committee had formed to create a national

anthem (NC, 12 Dec, 15 Dec 2003; FLNKS 26th Congress Report, 13 Dec 2003).

Despite the rosy picture painted by Chirac and the RPCR, resentments grew over a number of issues. One was the cancellation of a census, because Chirac opposed taking account of ethnic affiliation, calling such a statistic "irresponsible and illegal." The LDH and pro-independence groups supported collecting ethnic statistics because they would show how numerous and disadvantaged the indigenous population was (NC, 5 Aug, 7 Aug 2003; RNZI, 28 July, 6 Aug 2003). Another issue was the proposed classification of New Caledonia's coral reef, second in size only to Australia's, as a UNESCO World Heritage site. The French Green Party, local environmentalists like Van Peteghem, the Kanak Customary Senate, and the presidents of the North and Islands Provinces had supported the proposal in 2002, but Girardin had wanted a "consensus" among the three provinces first, asking everyone to study the situation "serenely." Lafleur had asserted the right of the South to resist interference from a metropolitan "lobby" and to formulate its own agreement with Inco as it developed the Goro/Prony nickel project (NC, 20 Feb 2003). During his visit, Chirac paid lip service to respecting the environment but urged "serenity and pragmatism" regarding the coral reef: "It's up to the Provinces" (NC, 24 July 2003). Faced with rising immigration during the new nickel boom, powerful labor unions became militant about favoring local hiring and conducted a series of strikes. A French Ministry of Educa-

tion official admitted that the territory lacked the infrastructure to train a sufficiently skilled workforce for an economy based on nickel (PIR, 18 April 2003; NC, 5 March, 4 Sept, 4 Oct 2003). Civil servants also demonstrated in April and struck in May and June to protect their pension funds, as retirees increase faster than new hires and the government planned to increase worker contributions to cover a growing deficit. One building was bombed, but the New Caledonia Congress finally passed a controversial reform. Critics called the inflationary high salaries of civil servants a vestige of colonial privileges (NC, 7 March, 12 June 2003; PIR, 7 April, 15 May 2003).

Three issues perhaps best symbolize the growing pains of increasingly autonomous New Caledonia: the Goro/Prony nickel project in the South, the violence and evictions at Ave Maria in St Louis, and the placement of a Kanak totem pole in Noumea on the 150th anniversary of French annexation. The Inco project at Goro was launched by the South with a goal of producing 60,000 tons of processed nickel per year by 2005 to meet the rising demand in China, but work on the site had to be stopped twice because of disputes over local hiring and its environmental impact. Cost overruns reached 45 percent at the end of 2002, so the project was suspended while Inco reviewed it. Meanwhile, Kanak chiefs wanting to secure transport and other jobs for their people traveled to Toronto to see Inco CEO Scott Hand and also to examine the Voisey Bay project in Labrador and its impact on the Inuit. They concluded that the

Inuit had a better deal, so they met again with Hand in Noumea in April, but after offering him a customary welcome, their dialogue was marginalized by the arrival of Pierre Frogier and other RPCR officials. Hand vowed to implement a "good neighbor agreement" by consulting more with local landowners (PIR, 8 April 2003; Boengkih 2003). Inco also agreed to help finance job training for the project, which was projected to create 2,500 new positions, 90 percent of which were supposed to go to locals (NC, 13 Feb 2003). Several local groups, from the LDH to the National Front, wanted to have Inco's near-gratis prospecting permit for the nearby Prony vein rescinded, because the province and territory would already get such low royalties for Goro (10 percent), and the environmental impact on the coral reef from strip mining and processing with acids were of deep concern to many. Finally, just before Christmas, a Noumea court nullified that permit (NC, 1 March 2003; PIR, 5 March, 10 March 2003; Duparc 2003).

Since late 2001, indigenous Kanak and immigrant Wallisians and Futunians have been fighting over twenty-three hectares of land at the Catholic mission called Ave Maria, near the town of St Louis outside Noumea. The Polynesians had begun to settle there in the 1960s, but because of their enlistment as loyalists during the troubled 1980s they became symbols of outsider competition and domination. For two years now, opposing young fighters have burned homes, killed three people, wounded others, and even attacked local chiefs. The problem was made worse by rivalry

between Wamytan and another Kanak chief, Robert Moyatea; divisions among Wallisians such as Sako and Father Iau Sagnato; and lack of intervention by the State or the Southern Province, other than armed force. Fresh violence erupted in late June, and in late August, 250 French police and special forces, backed by ten armored vehicles, dozens of trucks, and two helicopters, stormed the village of St Louis, arrested ten people, and confiscated weapons and ammunition. The power line from Noumea to Yate dam was sabotaged twice, and remaining Wallisian families had to be moved to a gymnasium for safety. Finally the government began to enforce an agreement that had been worked out in December 2002, namely, the relocation of all the Polynesians in Ave Maria to new housing in Dumbéa and other suburbs of Noumea, with financial support from the French State, the territory, and the Southern Province. Evictees have sued for compensation, as has the power company, and critics of State handling of the situation called it "ethnic cleansing" as bulldozers demolished the last Wallisian homes in September (PIR, 27 June, 1 July, 17 July, 4 Sept 2003; NC, 2 July, 26 Aug, 5 Sept, 16 Sept 2003). In December, a special accord between New Caledonia, Wallis and Futuna, and France tried to resolve the issue by promising more development aid to Wallis and Futuna in hopes of keeping people home (NC, 3 Dec 2003).

On 24 September, the 150th anniversary of the French unilateral "taking possession" of New Caledonia was commemorated. To white

Caledonians, it marks the date their identity began, while most Kanak treat it as a day of national mourning. But this year, a nonpartisan "150 Years After Committee" tried to come up with an act of reconciliation. It consulted widely, held meetings and workshops, and decided to have a sacred mwâ kê (Kanak totem pole) carved and brought in a celebratory procession to be installed in the Place des Cocotiers in Noumea, once an almost exclusively white colonial citadel. It is twelve meters high (one meter for each month of the year); weighs three tons (for the three provinces); was carried in turns by 150 people (one for each year of French rule); and was carved by indigenous sculptors from each of the eight Kanak cultural-linguistic regions. It was intended to symbolize a shared past and a common future, with even a piece of nickel embedded in its base, and the committee arranged for speeches, music, and dances to honor the occasion. But Noumea Mayor Jean Lèques refused to allow the pole to be installed in the Place des Cocotiers, because it did not fit the other architecture there, such as a statue of the governor who suppressed the 1878 Kanak revolt, a water fountain with a Greco-Latin statue, and a bandstand in Napoleon III-style. Lafleur and Frogier resolved the crisis by offering space in the courtyard of the Southern Province building, much to the chagrin of Kanak activists, who regarded that as yet another sign of submission or appropriation. Worse, when Lafleur greeted the Kanak chiefs accompanying the 4,000 participants, he said, "I thought that since I am the

Southern Province's Chief, I might drop by and speak here today." A more permanent site was proposed in the parking lot across from the Territorial Museum, which drew the comment from critics, "Hardly born, already mummified!" (Caillard and Caillard 2003; NC, 26 Sept 2003; PIR, 26 Sept 2003).

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References

- ABC RAN, Australian Broadcasting Corporation, Radio Australia News. <<http://www.abc.net.au/ra/>>
- Boengkih, Jacques Sarimin, personal communication, 22 April 2003.
- Caillard, Françoise, and Jean-Paul Caillard, personal communication, 27 Sept 2003.
- Duparc, Bernard, personal communication, 22 Dec 2003.
- LDH-NC, Ligue des Droits de l'Homme, Nouvelle-Calédonie, Communiqué, 4 March 2003.
- NC, *Les Nouvelles-Calédonniennes*. Daily. Noumea.
- PIR, Pacific Islands Report. <<http://pidp.eastwestcenter.org/pireport>>
- RNZI, Radio New Zealand International News. <<http://www.rnzi.com>>

SOLOMON ISLANDS

The period from late 1998 to 2003 was the most challenging for Solomon Islands since independence in 1978. Violent civil unrest on the island of Guadalcanal, which led to a coup on 5 June 2000, had an adverse impact on the country, bringing to the fore

political, social, and economic issues that had long existed but had not been adequately addressed by successive governments.

However, despite the dramatic events of the previous four years, perhaps the highlight of 2003 was Canberra's decision to lead a Pacific Islands Forum intervention force to restore law and order and rebuild Solomon Islands. Although the most troops and police came from Australia, other Forum member countries also contributed, resulting in the largest military and police deployment in the region since World War II. Canberra's decision reflected concerns that the events in Solomon Islands could become a security threat for Australia (ASPI 2003). The action illustrates how internal instability was viewed as a potential source of external threat, and highlights the changes in global security discourses following the terrorist attacks on the United States on 11 September 2001. The intervention also marked a dramatic change in regional politics; it was the first time that the Forum played an assertive role in the domestic affairs of a member country.

By the beginning of 2003, although Solomon Islands was no longer experiencing the overt violence that characterized the period from 1999 to 2000, problems with law and order, a declining economy, an inefficient public service, and a relatively weak state persisted, contributing to low public morale and a lack of trust in the state.

The law and order problems were worsened by the fact that, despite the October 2000 signing of the Towns-

ville Peace Agreement with its requirement for militants to surrender their arms, many continued to hold on to weapons, which they used to commit crimes. The ability of the police to enforce the law was weakened because some police officers had either joined or were sympathetic to the two major militant groups involved in the conflict: the Isatabu Freedom Movement (IFM) and the Malaita Eagle Force (MEF). Furthermore, in 2000 and 2001 many former militants (who did not have appropriate qualifications or training) had been recruited as special constables. This compromised the professionalism of the police.

Economically, the government's capacity to collect revenue and manage the economy was severely weakened by the inefficiency of the public service and the lack of finance. Hence, by mid 2003 the country's debt was registered at A\$352 million, more than three times the country's annual budget. The Central Bank of Solomon Islands (CBSI) described the situation vividly: "Since 2000, the Solomon Islands economy had severely contracted causing a fall in incomes, increased unemployment and widespread poverty, and the delivery of social services, particularly in the education and health sectors. In fact, without the goodwill of the donor community, services in these two important sectors would have discontinued early in the year" (CBSI 2003, 6).

The poor economic performance was exacerbated by the closure of major industries such as the oil palm plantation and the Gold Ridge mine

on Guadalcanal, in 1999 and 2000 respectively.

At the beginning of 2003, nature added to the country's woes when tropical cyclone Zoe battered the eastern Solomons, especially the remote island of Tikopia. At the national capital, Honiara, people rallied together through fund-raising activities and donations of goods and building materials to assist the Tikopians. However, their ability to assist was limited by the economic problems.

The economic and sociopolitical problems were reflected in the declining ability of the government to provide adequate, quality social services; protect its citizens; and pay its employees. There was also a general decline in the standard of living. Solomon Islands was named as one of four Pacific Island Countries where living standards fell in the decade between 1990 and 2001. The others were Vanuatu, Republic of the Marshall Islands, and the Federated States of Micronesia (UNDP 2003).

Because of the government's inability to pay its employees, 2003 was marked by strikes and threats of strikes by public employees. In January 2003, for example, employees of the Civil Aviation as well as Immigration and Meteorology officers walked off their jobs after the government delayed payment of "harassment allowances" awarded earlier by the Trade Disputes Panel. These allowances were to be paid to public officers who had worked under duress during the heights of the civil unrest. Their example was emulated by teachers who, in March, went on

strike to force the government to pay at least half of the salary arrears they were due.

While many public servants were either not paid or owed outstanding wages and allowances, police officers were consistently being paid their normal salaries plus "allowances." In April, for example, they demanded and received S\$26 million "allowance" after threatening employees of the Ministry of Finance.

The economic problem and people's desperation for income led to the emergence and persistence of "pyramid schemes" that promised lucrative financial returns. Thousands of people, mostly (but not exclusively) low-income earners, market vendors, and betel nut sellers, poured their savings into these schemes. The most popular was the Family Charity Fund (FCF) which promised to pay contributors S\$2 million (US\$285,000) each in return for S\$250 (US\$36) membership. Despite warnings from the CBSI governor, the prime minister, and other public officers, membership of the scheme rose to about 18,000 in early 2003. But contributors were never paid and it wasn't clear where the money went. The FCF leaders provided many excuses and blamed the prime minister, the CBSI governor, and commercial banks for delaying the payments. This led to death threats against employee of the ANZ Bank, resulting in the closure of commercial banks in Honiara in early May 2003. The FCF leaders were subsequently arrested and charged with fraud and threatening public safety, and by the end of 2003 most of them had been convicted and jailed.

However, not only private citizens were trapped by dubious financial schemes that promised riches. The government, with its desperate financial situation, also bought into such a scheme. In January 2003 the media reported that the national government had signed a memorandum of understanding with a little-known organization called the Royal Association of Nations and Kingdoms, led by a Bougainvillean, Noah Masingku. The memorandum stated that the association would give the government "a grant" of US\$2.6 billion.

This attracted widespread criticism from the public, the Parliamentary opposition, and the CBSI governor. It was later revealed that the arrangement involved the government being required to pay the Royal Association of Nations and Kingdoms S\$10 million before the grant was to be released. Furthermore, it was uncovered that Masingku was wanted for fraud relating to a pyramid scheme in Papua New Guinea and had entered Solomon Islands without a passport. The authorities in Port Moresby requested that he be arrested and deported back to Papua New Guinea to face charges.

Although this was an embarrassment for the government, no investigation was carried out to determine who was responsible or whether they had done anything wrong in committing the government to such a deal.

The continuing law and order problem and the inability of the state to protect citizens compounded the country's economic woes. While most parts of the country were relatively peaceful, certain areas continued to

suffer lawlessness. The Guadalcanal Liberation Front, led by the notorious Harold Keke, for example, ruled parts of the Weather Coast of Guadalcanal, and throughout 2002 and the first half of 2003, Keke and his followers threatened and murdered more than twenty people in the areas they controlled. This included seven members of the Melanesian Brotherhood, a religious order in the Church of Melanesia (Anglican Church). Ten Malaita men who were allegedly sent to capture Keke were also killed.

Atrocities and human rights abuses were also committed by police officers and civilians sent to capture Keke and his followers. Incidents occurred elsewhere in the country as well. On 18 May, for example, an Australian missionary, Lance Gersbach, was murdered at Atoifi Seventh Day Adventist Hospital on Malaita.

Despite the problems mentioned above, some people and organizations continued to work to try and bring normalcy back to the country. These included both local and international organizations, as well as village leaders working to rebuild relationships and restore peace. The Solomon Islands Christian Association, for example, worked on a proposal to establish a Truth and Reconciliation Commission. The National Peace Council continued its work in assisting reconciliation at community levels as well as encouraging people to return weapons. Village leaders and women's organizations continued to facilitate reconciliations between communities. In September 2003, for instance, a group of Guadalcanal women traveled to Malaita and had a reconciliation ceremony with women

from the Takwa Catholic Parish in North Malaita (SIBC, 15 Sept 2003).

The United Nations Development Program (UNDP) facilitated discussions on constitutional reform to help establish a federal system of government. It was also instrumental in the Special Constables Demobilization Project, which aimed to retrieve guns from special constables and involve them in economically and socially productive activities. By January 2003 about 800 special constables had been demobilized. The project, however, suffered a setback on 10 February 2003, when a member of the demobilization team, former Commissioner of Police Sir Fredrick Soaki, was assassinated at Auki by a police officer. This shocked the entire country, especially given Sir Fred's status.

The success of the peace-building process was greatly limited by the continuing presence of weapons in the communities. Many of the former militants refused to give up arms because it was their only source of status and power.

Despite its domestic problems, Solomon Islands continued to maintain its links with the outside world and participate in regional and international forums. For example, although the government defaulted on its contributions to the University of the South Pacific (USP), its students continued to be accepted; they make up the second largest student population (after Fiji Islanders) at the University. This was possible because of the understanding and acceptance of other USP member countries.

Furthermore, Solomon Islands continued to participate at the Pacific Islands Forum and other regional

organizations as well as international organizations such as the United Nations. This demonstrated that despite its domestic problems the Solomon Islands state was recognized and accepted in the international arena. Hence, despite its relative weakness at home, the government was able to draw strength and legitimacy from the international community.

Its bilateral relations were also maintained. On 20 May, for example, the Indonesian ambassador, based in Port Moresby, Papua New Guinea, arrived in Solomon Islands for an official visit in which the countries agreed to technical cooperation. This visit led to the signing of an agreement on 15 July outlining a mutual technical agreement between Indonesia and Solomon Islands, including cooperation in areas such as marine, forestry, agriculture, journalism, and cultural exchanges.

At the end of May—only days after the visit of the Indonesian ambassador—Honiara again hosted a delegation of the Senate Foreign Affairs, Defence and Trade Reference Committee of the Australian Parliament. This was part of a visit by the committee to five Pacific Island countries (Papua New Guinea, Fiji, Tonga, Tuvalu, and Solomon Islands) to conduct an enquiry into Australian relationship with the Pacific Islands.

In spite of the relative strength and legitimacy drawn from international interactions, at home the government's authority continued to be challenged, especially by those with guns who knew that the government's ability to apprehend them was slim. Consequently, since the signing of the Townsville Peace Agreement, Solo-

mon Islands remained in a state of "latent peace"—a situation where there was fear for the potential for violence in society.

Things began to change dramatically on 4 June, when Solomon Islands Prime Minister Allan Kemakeza and some officials were summoned to Canberra. The Australian Government sent an Australian Air Force plane to airlift the delegation to Canberra where, on 5 June, they met with Australian Prime Minister John Howard. At that meeting the Australian government offered to assist Solomon Islands restore law and order and rebuild the country.

Canberra's decision came amid ongoing discussions in Australia regarding security in a post-September 11th era, and Australia's role in the region. The Australian Strategic Policy Institute (ASPI), a conservative think tank, for example, argued that Australia needed to intervene in Solomon Islands to prevent the state from "failing." There were concerns that a failed state could be used by terrorists to threaten Australia (ASPI 2003).

The news of Australia's plan to intervene and the Kemakeza government's acceptance of the offer received different reactions in Solomon Islands. Those with guns who benefited from the way things were did not want the intervention. When they realized that it was inevitable, some attempted to extort as much money from the government as they could before the intervention forces arrived. On 11 July, for instance, armed police had to disperse about 200 MEF militants at the Office of the Prime Minister and Ministry of Finance where they had

gathered to demand S\$1.4 million “to help them return to their villages on Malaita” (SIBC, 11 July 2003). On the Weather Coast of Guadalcanal, Harold Keke and his followers took about 400 people hostage at Marasa Village amid fears that he would use them as a human shield to fight off the intervention forces (SIBC, 17 June 2003).

For weeks the Australian intervention plan dragged slowly because Canberra required an official request from the Solomon Islands governor-general on the advice of the Cabinet, and the Solomon Islands National Parliament needed to pass an enabling act to make the intervention legal. Secondly, Canberra was reluctant to go it alone because of the likely political repercussions. It insisted on rallying the support of the Pacific Islands Forum (PIF) so that a regional exercise would be covered under the Forum’s Biketawa Declaration of 2000, which “recognized the need in time of crisis or in response to members’ request for assistance, for action to be taken on the basis of all members of the Forum being part of the Pacific Islands extended family” (PIF 2000).

On 1 July, PIF foreign ministers met in Sydney to discuss the proposed intervention, which Howard government had by then named “Operation Helpem Fren” (Operation to help a friend). The Forum Island countries unanimously endorsed the proposal and many offered to contribute military and police personnel to make up the regional force.

In Honiara, the government was busy preparing the political and legal frameworks required to enable the

intervention to take place. On 7 July, to mark the 25th anniversary of the country’s independence, the prime minister reminded Solomon Islanders that anniversaries are a time of celebrations, reflections, reconciliation, and resolution for the future development of the country (SIBC, 7 July 2003). The national Parliament eventually met on 9 July to discuss and pass the Facilitation of International Assistance Act 2003, to facilitate the deployment of foreign troops. There was widespread support for the intervention both in Parliament and in the public. Many organizations and individuals publicly expressed their support for the intervention.

Following the passing of the enabling act and the formal invitation from the governor-general, Australian, New Zealand, Fijian, and Tongan troops and police gathered at the Australian city of Townsville and prepared to move into the Solomons. On 21 July, the first regional troops and police left Townsville for Solomon Islands on board the Australian Navy ship, HMAS *Manoora*.

Perhaps in reaction to the deployment of foreign troops, on 23 July, Harold Keke and his followers released three hostages whom they had held for weeks: two Melanesian Brothers and a novice of the Church of Melanesia. At that time it was not known that Keke had killed seven other members of the same religious order.

On 24 July, the first regional troops arrived in Solomon Islands, some by the HMAS *Manoora* and others by air. Accompanying them was the Australian civilian leader of what by then was being referred to as the Regional

Assistance Mission to Solomon Islands (RAMSI). He was Nick Warner, a senior Australian diplomat. On his arrival, Warner stated that the first task of the assistance mission was to restore law and order, and he appealed to those who possessed weapons to give them up (SIBC, 24 July 2003).

On 30 July, Warner met with former MEF commanders Jimmy "Rasta" Lusibaea and Moses Su'u to discuss the return of arms. This was followed by the prime minister's 31 July announcement that amnesty would be given for weapons returned between midnight 1 August and 21 August, allowing people to return arms without the threat of being prosecuted.

RAMSI officials then met with other militants on Guadalcanal and Malaita to discuss the return of arms. Also included in the discussions was Keke, who in early August admitted to Warner and his officials that he and his followers had murdered the six members of the Melanesian Brothers whom they had taken hostage in April, and another who had been captured earlier. These discussions led to Keke's surrender, on 13 August, to the RAMSI personnel in return for protection. He appeared in court the day after his arrest.

Two days after Keke's arrest, the Malaita Eagle Force surrendered ninety-nine guns during the celebrations of the Malaita Day at Auki. In the weeks that followed, more guns were surrendered. The process of disarmament was much more successful than had initially been anticipated.

In August, armed with the success of first few weeks of the regional force's operations, Prime Minister

Kemakeza headed for the PIF meeting in Auckland, where he thanked regional leaders for assisting his country. The PIF leaders noted the "marked improvement in law and order. They particularly welcomed the initial achievements, especially the weapons surrenders" (PIF 2003, 13). The Forum also received commendation from UN Secretary General Kofi Anan, who commented on the efforts of Pacific Island countries in Solomon Islands.

While the initial stage of the intervention was successful, RAMSI leaders realized that for peace to be sustainable, Solomon Islanders must actively participate. During the "Talking Truth Program" on the Solomon Islands Broadcasting Corporation (SIBC), for instance, RAMSI Deputy Special Coordinator Peter Noble said that sustainability depends on the skills and the ability of people to do any tasks for the country; whether working for nongovernmental organizations or the government or performing technical tasks, these jobs must be done by Solomon Islanders (SIBC, 20 Aug 2003).

On 24 August, Australian Prime Minister Howard visited Honiara for five hours to give moral support to the troops and see for himself their achievements. During his visit Howard said that the next stage was "to consolidate the gains in law and order with a frontal assault on corruption and poor governance" (SIBC, 25 Aug 2003). He also announced an additional A\$25 million as part of Australia's economic package to help fund the Solomon Islands 2004 budget. Howard also pledged support for Kemakeza, despite local calls for the

Solomon Islands prime minister to step down because of allegations about his involvement with militants and misuse of public money.

While the Regional Assistance Mission was working on the issues of law and order, the United Nations Development Program continued its work on the constitutional review, which had started about two years earlier. This was in relation to the establishment of a federal system of government, which, according to UNDP survey reports, received overwhelming support. They toured all the provinces of the country, consulting people on the constitutional review and the proposal for federalism.

Despite the restoration of law and order, the recovery of the economy was much less visible. In September it was reported that the government had, by the end of August, already spent 87 percent of its total budget for 2003. This was over S\$30 million, or 30 percent ahead of the budgeted expenditure. The Ministry of Finance reported that the principal driving force behind the higher than forecast expenditure was massive spending by the Ministry of Police, National Security, and Justice (SIBC, 22 Sept 2003). In November, the government also confirmed that its borrowing from the Central Bank of Solomon Islands up to the end of October stood at S\$203.84 million, more than S\$105 million above the normal ceiling under the Central Bank Act and more than S\$72 million above what Minister of Finance Francis Zama referred to as "the enhanced ceiling" under the same act (SIBC, 24 Sept 2003).

Although the economy may have improved slightly overall, this is not

visible at the rural areas where social services did not get better. While most people did not expect the economy to improve dramatically, they did expect that the millions of dollars of aid money being poured into the country would have some immediate impact.

In September the government set up a task force, headed by former Prime Minister Bartholomew Ulufa'alu, to formulate an economic recovery plan. This was also in preparation for the 2004 budget. To assist in the economic recovery, the Australian government paid over US\$3 million in debt arrears owed by Solomon Islands: US\$2.65 million to Asian Development Bank and US\$388,000 to the World Bank. This allowed the banks to resume operations in the Solomons (SIBC, 12 Sept 2003).

In September, Honiara again hosted another regional leader. New Zealand Prime Minister Helen Clark and Minister of Defense Mark Burton visited the Solomons to meet with the government and visit New Zealand troops. During her visit, Clark stressed the importance of the restoration of law and order (SIBC, 23 Sept 2003). In October New Zealand announced that it was donating S\$40 million for education.

One of the major events of 2003 was the passing of the 2004 budget in November. The more than S\$1 billion budget was the largest thus far in the country's history and was funded largely by aid donors. For example, aid donors fund 24.6 percent of the revenue estimate and 100 percent of the estimated development expenditure (SIG 2003).

By December 2003, the impasse

between the government and the Solomon Islands Public Employee Union, which started in September, was still unresolved. Public employees had requested a pay rise, which was approved by Cabinet, but then turned down by the prime minister. This issued spilled over into 2004.

While much of the media coverage and commentaries on Solomon Islands concentrated on the negative impacts of the civil unrest, the events of the past five years have also had a positive twist: they have forced Solomon Islanders to come to terms with the challenges of building a nation-state out of culturally and ethnically plural societies, and reflect on the social, political, and economic challenges for the future. Governor-General Sir John Lapli, for instance, said that among the “pillars of national unity and nation building” must be “good beneficial reasons for people of diverse and scattered islands of Solomon Islands to want to belong to this country.” The reasons for staying together, the governor-general said, “must be sound, attainable, sustainable and tolerated by these diverse people” (SIBC, 23 Sept 2003).

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References

- ASPI, Australian Strategic Policy Institute. 2003. *Our Failing Neighbour: Australia and the Future of Solomon Islands*. Canberra: ASPI Publications.
- CBSI, Central Bank of Solomon Islands. 2003. *Annual Report 2002*. Honiara: Central Bank of Solomon Islands.
- PIF, Pacific Islands Forum. 2000. Forum Communiqué. 31st Pacific Islands Forum,

Tarawa, Republic of Kiribati, 27–30 October.

—. 2003. Forum Communiqué. 34th Pacific Islands Forum, Auckland, New Zealand, 14–16 August.

SIBC, Solomon Islands Broadcasting Corporation. <<http://www.sibconline.com.sb>>

SIG, Solomon Islands Government. 2003. 2004 Budget Speech. Honiara: Ministry of Finance.

UNDP, United Nations Development Program. 2003. *Human Development Report 2003*. New York: UNDP.

VANUATU

At the beginning of 2003 Vanuatu was governed by a coalition of the Vanua'aku Party (VP), headed by the prime minister, Edward Natapei, and the Union of Moderate Parties (UMP), headed by the deputy prime minister, Serge Vohor. Politics in Vanuatu were dominated by events in three main areas during that year: the management of the Vanuatu Commodities Marketing Board (VCMB); the management of the Vanuatu Maritime Authority (VMA); and the fortunes of Barak Sope, the former prime minister who was jailed for forgery in 2002. These events generated increasing dissatisfaction with the Union of Moderate Parties as a governing party and contributed to another change of national government in December 2003.

Before considering these events, three postscripts to the police commissioner affair, which dominated politics in 2002, should be mentioned. To briefly recap, problems arose over appointments to the post of police

commissioner that were improperly made. While the first such appointment was challenged peacefully in court, the second appointment, in mid-2002, resulted in police arresting that commissioner and fourteen high-ranking officials who were thought to have been involved in the appointment. In reaction to this, a number of armed Vanuatu Military Force officers came to the police station to arrest these police, and an armed standoff ensued. Rumors that a government-funded militia had also been formed gave rise to fears of another armed faction. This militia was thought to be made up of young men from Tanna, a group blamed, justifiably or not, for much violence and crime in Vanuatu. By the end of the year, tensions between the Vanuatu Military Force and the police force had eased, and four high-ranking police officers involved in the arrests of the officials had been given two-year suspended sentences for inciting mutiny, mutiny, kidnapping, and false imprisonment.

The first postscript to that story is the appointment of Robert Diniro Obed as police commissioner in February 2003. He remained stable in that position throughout the year. A large AusAID-funded project aimed at strengthening police capacity and restructuring the Vanuatu Police Force has also been implemented and will contribute to stability and increased efficiency in the police force. The second postscript involves the four police officers who had been given suspended sentences for their involvement in events of 2002. The prosecutor appealed their sentences "on the basis that the sentences imposed on the four

men were manifestly inadequate." The Court of Appeal upheld the appeal on the grounds that "there can never be any justification for anyone in a free and democratic society taking the law into their own hands. After their years of service, training and discipline in the Police, each of these men knew that they were bending the rules. There is nothing more corrosive or damaging in society than that sort of behaviour by police officers" (*Public Prosecutor v Simon* 2003). The third postscript is that the government reportedly made a payment of over 1 million vatu to a "civilian backup force" made up of men from Tanna, which had briefly been formed during the instability of August 2002 (VDP, 9 Jan 2003). Whether members of this group were armed at any point, or still have arms, is not known.

The fortunes of Barak Sope in 2003 are less a postscript on events of 2002 than the unfolding of another chapter in this prominent politician's career. The leader of the Melanesian Progressive Party (MPP) was sentenced to three years' imprisonment for forging government guarantees in mid-2002. As the result of this conviction Sope lost his seat in Parliament. In November 2002 Sope was pardoned by the president and immediately made known his intention to challenge the loss of his parliamentary seat in court. In February 2003 the Supreme Court heard the case and rejected Sope's challenge. Although the court acknowledged that a presidential pardon has the effect of making "the offender a new man," the wording of the Members of Parliament (Vacation of Seats) Act [Cap 174] were taken into account. Under

that act, once a member of Parliament is convicted and sentenced to at least two-year imprisonment, his or her seat becomes vacant after a period of thirty days. Because the presidential pardon occurred outside of this thirty-day limit, Sope's seat was vacated before he was pardoned. A pardon cannot be retroactive, so the pardon did not restore Sope's seat to him. However, as a result of the pardon, Sope was allowed to run in the by-election for the seat that he previously held. In May the Court of Appeal rejected Sope's appeal against the Supreme Court decision (*Sope v Speaker of Parliament* 2003), thereby opening the way for a by-election later in the year. The by-election was held on 27 November. Four candidates stood: Sope (MPP), Foster Rakom (VP), and two independent candidates. Voter turnout was a low 46 percent, and Sope was reelected by a comfortable margin, winning 2,524 votes, with Rakom, his nearest rival, polling 1,915 votes. No clear response to this outcome has come from aid donors, investors, or others, in part, perhaps, because the result was unsurprising. As reported earlier in the year, "jailing has increased [Sope's] popularity among local ni-Vanuatu, who regard him as strong on land issues and Vanuatu nationalism" (VDP, 14 Jan 2003).

If the reelection of Sope had occurred in a different year it might have attracted more commentary. However, with events concerning the Vanuatu Commodities Marketing Board and Vanuatu Maritime Authority dominating political news, stories of Barak Sope's return to power became the political equivalent of a

human-interest story: straightforward and easy to understand, something for people to shake their heads at and have a wry chuckle over. VCMB events dominated in the first half of the year. The board is a statutory body that, at the beginning of the year, had responsibility for the purchase, sale, and export of prescribed commodities, particularly copra. As copra is the primary cash earner for most of the rural Vanuatu population, VCMB operations directly affect many people. Problems with VCMB management have been going on for some time. Improper use of funds, unsound investments, political interference, and general mismanagement have been documented as far back as 1996, in one of the first reports by the Vanuatu Ombudsman (Vanuatu Ombudsman 1996). VCMB financial problems were compounded in 2001 when the world price for copra fell. The UMP-dominated government of the time, as a ploy to ensure popularity and gain votes in the upcoming election, instructed the marketing board to pay higher prices to farmers than they could sell the copra for. As a result, the board was losing about 6,000 vatu (US\$45) per ton (Reid 2003). By early 2003, VCMB problems became more prominent as the local copra market ground to a halt. VCMB agents were not paying producers, with the result that the cash basis of rural island economies was being eroded. Inter-island shipping companies were not being paid, either. In February a notice was filed to table a no-confidence motion in the government, although a motion did not arise at this point. This was largely prompted by concern over involvement of the Union of

Moderate Parties with the marketing board. Also fueling dissatisfaction were recently revealed details of a 67 million vatu (approximately US\$574,000) "redundancy payment" package that had been paid to VCMB staff in early 2002, although most of them continued to work for the marketing board. This may sound more outrageous than it actually is, as the Vanuatu Employment Act [Cap 160] requires employers to pay severance allowance to terminated employees in many situations. A number of employers "spread the load" of payment by terminating employees and paying severance allowance, then reemploying the same employees at regular intervals. The "redundancy payment" package can, in part, be considered a way of managing severance payments. However, even on this, most generous reading of VCMB actions, members of staff were paid about 42 million vatu (approximately US\$360,000) more than the act provides for (*VDP*, 6 Jan 2004).

By the end of February some steps were taken to resolve problems, including the suspension of the general manager over mismanagement issues, and proposals to restructure the marketing board as a regulatory body. The price of copra paid to producers was also reduced in February, a move that may have been unpopular with growers but was necessary given the marketing board's financial position. In April, fifty-eight VCMB agents, who were all political appointees, were suspended.

Scandal continued to surround the marketing board, however, with a story in March that 42 million vatu had been paid into a private account

rather than a VCMB account, and another story in April alleging that the board had issued copra export licenses to two private companies. This issuing of licenses was in breach of an agreement with shipowners in Santo, who had agreed to late payment of VCMB debts in return for a promise that no licenses in competition with the marketing board would be granted until the debts were repaid. These licenses were particularly controversial, as they were issued to companies with UMP politicians as shareholders. In response to the problems, the marketing board was removed from the portfolio of UMP Minister for Trade and Industry Jean Alain Mahe. In May, concerns arose over the appointment of another UMP man (a close relative of UMP President Serge Vohor) as VCMB acting general manager.

VCMB problems, combined with low tourist numbers, have created a shortage of foreign exchange in Vanuatu. As of April 2003, the Reserve Bank of Vanuatu's foreign exchange reserves were only sufficient for 4.4 months of import cover. The low availability of foreign currency is continuing to affect private sector businesses that import goods in early 2004.

The VCMB situation, combined with dissatisfaction over the introduction of a debit tax, contributed to more talk of a no-confidence motion. A motion was listed for the June session of Parliament but was later dismissed due to technical irregularities. Changes within political parties also contributed to rumors of a change in government. In April, Ham Lini replaced Dinh Van Than as president

of the National Union Party (NUP). One of the barriers to the National Union and Vanua'aku parties forming a coalition had been Than's NUP presidency. With this barrier removed, the possibility of a new coalition looked more likely. Around this time the Vanua'aku Party was also facing some internal discord, with the party's executive proposing a motion to change three of the prime minister's political advisors. The results of the Luganville municipal election in March was also taken as a sign of growing discord between the national coalition partners, Vanua'aku Party and Union of Moderate Parties. In Luganville, the Vanua'aku, National Union, and Unity parties formed a governing coalition following the election. It was reported in the media that the prime minister ordered VP members to include the Union of Moderate Parties in the coalition, although the prime minister denied it. However, the national government coalition downplayed events in Luganville as being a sign of a split, and performed a ceremony in Port Vila to confirm the UMP and VP commitment to the national government coalition. There were other indications that a new VP/NUP coalition was not going to arise, including opposition to the plan by the NUP Vice President Willie Jimmy (*Pacific Beat*, 24 April 2003).

The VCMB situation and internal party politics were soon overshadowed by reports of mismanagement and corruption within the Vanuatu Maritime Authority (VMA). The authority was established in 1998, with the primary aim of regulating and promoting the maritime industry.

Whilst there have been rumors of political interference and mismanagement almost since its establishment, it was not until 2003 that VMA operations flared up as a major political issue. Attention was focused on Vanuatu's maritime industry at the end of 2002, with the arrest of Robert Bohn by the US government on charges relating to a lottery fraud. The US government froze a number of accounts of companies he was involved with, including those of the Vanuatu Maritime Services Ltd (VMS), which administers the Vanuatu Shipping Registry (VSR) on behalf of the Vanuatu government. Registry fees are split between Vanuatu Maritime Services and the Vanuatu government. Charges against Bohn were later dropped. The utilization of VSR revenue and the financial relationship between the Vanuatu Maritime Authority and the Vanuatu government was called into question in March when it was reported that the maritime authority had not made a rescue attempt on a vessel. One VMA response was that it did not have the funds for a rescue attempt, as all money from the Vanuatu Shipping Registry goes through the Ministry of Finance and Economic Management. Such a statement is misleading, as the maritime authority has its own budget, and VSR revenue, just like any government revenue, goes into the central government coffers and is not directly kept or necessarily spent by the agency that collected it. It did, however, help to confuse relationships and suggest that the government was somehow misappropriating VSR money. In July, details were published from an Auditor General's report,

indicating no financial impropriety on the part of Vanuatu Maritime Services Ltd (PVPO, 7 July 2003). As events of the year unfolded, the concern about the maritime services agency and the shipping registry proved to be something of a red herring, and problems clearly became centered in the Vanuatu Maritime Authority.

In April, Vanuatu Maritime Commissioner John Roosen left the maritime authority. Then, in June, former Vanuatu Ombudsman Marie Noelle Patterson was terminated from her position as the corporate director. Patterson and another member of the VMA board, Lennox Vuti, had been critical of French citizen Christopher Emelee's appointment as VMA chair because Emelee is manager of the Tuna Fishing Vanuatu, a clear conflict of interest. Another VMA board member, Wilson Aru, also had his own boat and a clear conflict of interest. There was also dissatisfaction about raising the board's sitting allowance to vatu 12,000.

In August, VMA Acting Commissioner Timoci Bani, who had been John Roosen's counterpart and had been trained for the position, was suspended, and Donald Hosea was appointed in his place. Hosea had admitted to misappropriating VMA money in early 2002 and had been placed on probation, and this appointment was widely condemned. It was reported that Bani was not allowing himself to be pressured into preventing the operation of a ship owned by people that Emelee "has a personal grudge against," or into permitting certain substandard ships (in which VMA members had personal interests) to sail (VDP, 19 Aug 2003).

As a result of continued reporting of VMA stories in the *Vanuatu Daily Post*, on 4 September the newspaper's publisher, Marc Neil-Jones, was assaulted outside of his office by Emelee's wife and three other people, while Emelee and members of his staff looked on. Afterwards Neil-Jones required hospital treatment. The next day in the Magistrate's Court Emelee's lawyer filed for an injunction to prevent the *Daily Post* newspaper from publishing anything about the Vanuatu Maritime Authority or about Emelee and his family. A magistrate granted the injunction on 8 September, but the Supreme Court overturned it several days later (*Jones v Emelee* 2003).

A concrete example of wrongdoing then arose, in the form of the two long-line fishing vessels that were apprehended by the Vanuatu Police Maritime Wing for fishing in Vanuatu waters without a license. The first boat was apprehended on 1 November, and the second on 4 November. These boats, registered in China and crewed by Taiwanese, are owned by Sound Fishing Group, which is in turn owned by John Simbolo, a former director of Customs. Emelee is also reported to have interests in Sound Fishing Group. At the time of the arrests they were displaying licenses permitting them to fish from 7 November 2003–6 November 2004. In a meeting between police and the director of Fisheries, the latter claimed that there had been an error in the license, and it should have run from 27 October. However, the case was referred to the public prosecutor and charges of fishing without a license were laid. On 11 November a letter

from the Minister of Agriculture, Stephen Kalsakau, was produced. This letter, signed 29 October 2003, provided a test fishing license allowing the arrested vessels to operate from 30 October 2003–6 November 2003. Charges were therefore withdrawn.

The next twist was a police operation to collect evidence of forgery or conspiracy to pervert the course of justice. Police gained warrants to search a number of places, including the Ministry of Agriculture and Fisheries, the Vanuatu Maritime Authority, the office of Tuna Fishing Vanuatu, and the office of Sound Fishing Group. Christopher Emelee was also prevented from leaving the country, and his passport was seized. Another French citizen, Guy Bernard, who had been appointed as a VMA legal consultant, also had his passport seized. In February 2004 the Court will rule on whether Emelee, Bernard, Kalsakau, Simbolo, and VMA Acting Commissioner Less John Napuati have a case to answer.

All of the strife surrounding the Vanuatu Maritime Authority contributed to the change of government on 19 November. Rather than a vote of no confidence, there was a change in the coalition and a shuffling of cabinet portfolios. The National Union Party and the Green Party replaced the Union of Moderate Parties in the governing coalition (*PVPO*, 19 Nov 2003). Prior to the reshuffle, the cabinet had been Edward Natapei (VP), Prime Minister; Serge Vohor (UMP), Deputy Prime Minister and Minister for Foreign Affairs; Sela Molisa (VP), Minister for Finance; Willie Posen (UMP), Minister for Infrastructure and

Public Utilities; Jacques Sese (UMP), Minister for Education; Donald Kalpokas (VP), Minister for Health; Nicholas Brown (VP, Ind), Minister for Ni-Vanuatu Business Development; Jacklyn Ruben Titek (VP), Minister for Lands, Geology and Mines; Stephen Kalsakau (UMP), Minister for Agriculture, Livestock, Forestry, and Fisheries; Joe Natuman (VP), Minister for Internal Affairs; Philip Boedoro (VP), Minister for the Comprehensive Reform Programme; Jean-Alain Mahe (UMP), Minister for Industry and Commerce; and Raphael Worwor (UMP), Minister for Youth and Sports.

Following the reshuffle, the cabinet is Edward Natapei (VP), Prime Minister; Ham Lini (NUP), Deputy Prime Minister and Minister for Infrastructure and Public Utilities; Moana Carcasses (Green Party), Minister for Foreign Affairs; Sela Molisa (VP), Minister for Finance; Donald Kalpokas (VP), Minister for Education; James Bule (NUP), Minister for Health; Nicholas Brown (VP, Ind), Minister for Ni-Vanuatu Business Development; Jacklyn Ruben Titek (VP), Minister for Lands, Geology and Mines; Sato Kilman (People's Progressive Party), Minister for Agriculture, Livestock, Forestry and Fisheries; Joe Natuman (VP), Minister for Internal Affairs; Philip Boedoro (VP), Minister for the Comprehensive Reform Programme; Willie Jimmy (NUP), Minister for Industry and Commerce; and Mokin Stephen (NUP), Minister for Youth Development and Training.

It was not only UMP involvement in the VCMB and VMA affairs that led to the change in government. Spokesman for the Vanuatu government Daniel Bangtor noted other reasons,

such as a general lack of commitment by UMP ministers (including not attending meetings), and “the fact that the leader of the Union of Moderate Parties (UMP) Mr. Serge Vohor had been initiating negotiations with the opposition group to form an alternative coalition arrangement” (*Pacific Beat*, 26 Nov 2003). UMP interference with the boards of Air Vanuatu and Vanair and the Vanuatu Broadcasting and Television Corporation were further reasons for dissatisfaction with the party. Following the change in government, all UMP-appointed board members were removed from all three of these bodies. Other occurrences since the formation of the new government include the removal of Christopher Emelee as chair of the VMA board; he was replaced by Lennox Vuti. The Vanuatu Commodities Marketing Board (Amendment) Act 2003 also came into force, altering the marketing board’s role to one of industry regulation.

The change of government has not taken place without a fight, however, and since the reshuffle there have been ongoing talks of a vote of no confidence (*PVPO*, 21 Nov 2003). The first motion was lodged just after the change but withdrawn a week later (*PVPO*, 28 Nov 2003). Rumors of a no-confidence motion during the first session of Parliament in 2004 continue.

This national politicking is of little concern to many ni-Vanuatu, for whom the biggest political story of 2003 was the commencement of a debit tax. This is a tax on withdrawals from banks. The Debit Tax Act was passed in 2002 and commenced in

July 2003. Almost immediately after the law was enacted, talks of protests against the new law began. In March 2003 protest took the form of vandalism on the Reserve Bank of Vanuatu building and the residence of the Minister of Finance. The Vanuatu Association of Non-Governmental Organizations (VANGO) led initiatives for a more peaceful protest, but this protest was blocked for several months by the refusal to issue a permit for the protest. On 22 August the protest finally went ahead and was a peaceful and controlled event. By this stage the tax had already commenced. By the end of the year many people had accepted the tax as just another charge on using the bank.

Management of the Vanuatu National Provident Fund (VNPF) is another political issue that is of concern to the many ni-Vanuatu who have money in the fund. The provident fund attracted attention in June with stories that the general manager’s contract had been extended illegally. This was accompanied by reports of problems with management, including too much investment of funds overseas and bailouts by government. It was soon revealed that stories of mismanagement and bailouts by government were not correct, and that the extension of the general manager’s contract was wrong only because of a technicality, and not due to corruption. Soon afterwards, the general manager resigned, stating that he had been the subject of black magic. He was also highly critical of Minister of Finance Sela Molisa.

A bill to amend the VNPF Act was also introduced around this time. This bill would have had the effect of

reducing contributions from 12 percent to 8 percent (currently employees contribute 6 percent of their salary each month and employers contribute a further 6 percent; contributions were to be reduced to 4 percent each). The proposed legislation would also have reduced the amount of the fund permitted to be invested overseas from 50 percent to 15 percent. This was seen by many as a way to increase political interference in the provident fund. However, the Minister of Finance maintained that this move was proposed due to the need to maintain currency stability, given that foreign currency reserves were already very low. The bill was withdrawn for the midyear session of Parliament; it resurfaced for the November session of Parliament but was again withdrawn. In August reports that the provident fund was being pressured into buying long-term government bonds that were not of interest to commercial banks because they were not a good investment increased concern about political interference in the provident fund (*VDP*, 2 Aug 2003). Molisa has also been involved in internal struggles for leadership in the Vanua'aku Party, and some have questioned his role in government.

The political events of 2003 have been turbulent and many are ongoing. For 2004 we can therefore expect to see further developments in these areas. However, whether Vanuatu will settle into another period of relative stability, or whether scandal and changing alliances will continue to affect politics, remains to be seen.

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References

- Jones v Emelee* [2003] VUSC 54.
<<http://www.paclii.org>>
- Pacific Beat*.
<<http://www.abc.net/au/ra/pacbeat>>
- Public Prosecutor v Simon* [2003] VUCA 1. <<http://www.paclii.org>>
- PVPO, Port Vila Presse Online*.
<<http://www.news.vu>>
- Reid, Robert Keith. 2003. Copra Producers Wallow in Strife: Political Interference to Be Blamed. *Pacific Magazine*. May.
<<http://www.pacificislands.cc>>
- Sope v Speaker of Parliament* [2003] VUCA 5. <<http://www.paclii.org>>
- Vanuatu Ombudsman. 1996. Vanuatu Commodities Marketing Board: Utilisation of the VT 1.3 Billion 1986–1987 Stabex Funds Subsidy. Report 96/03.
- VCP, The Vanuatu Daily Post*. Port Vila. Five editions per week.

WEST PAPUA

The year 2003 was marked by a proliferation of erratic Jakarta politics toward Papua and a related reconfirmation of the role of the Indonesian National Military Forces (TNI) in the province. Parts of the military effectively induced powerful elements in the central government to support its presence in Papua, on the one hand by suggesting that there is a need to stem secessionism, and on the other hand by conniving at communal conflicts. In line with the current policy of the Megawati government, the military defines its role in Papua as safeguarding the unity of the nation and its activities there as necessary to prevent the "terrorist" acts of indepen-

dence movements. By referring to Papua as the second in line for secession after East Timor, elements of the military have practically sidelined Papua's civil society organizations, its intellectual elite, and significant parts of the population that support resolutions short of violence. Moreover, since the Bali bombings in October 2002 and the explosion in front of the Marriot Hotel in Jakarta in August 2003, the National Intelligence Agency (BIN) has positioned itself at the forefront of the war against terrorism and is attempting to take a leading role in drawing up plans for Papua.

Positive developments were expected to sprout from the Special Autonomy law for Papua (Law No. 21/2001, commonly referred to as Otsus, from its Bahasa Indonesia name of Otonomi Khusus), which would give more autonomy to local communities in terms of equal sharing of the benefits of resource extraction and democratic governance. But these faced a dead end after President Megawati promulgated a decree on the expedition of the implementation of Law No. 45/1999 regarding the creation of two new provinces (West Irian Jaya and Central Irian Jaya), three new regencies (Paniai, Mimika, and Puncak Jaya), and one municipality (Sorong). The plan to divide the province was actually devised in the early 1980s by then Irian Jaya Governor Busiri Suryowinoto and Minister of Home Affairs Supardjo Rustam. The idea was to Papuanize the bureaucracy, beginning at the district level, and create six provincial levels based on the administrative areas

demarcated by the colonial Dutch government. The plan was shelved largely because there were not enough qualified locals to fill the required positions. In 1999, the division of the province was proposed again by the transitional government of President Habibie as a way to speed up the "pemekaran" (blossoming), or administrative fragmentation, of the province. However, the law was suspended after sweeping resistance in Papua, where the provincial government and a majority of the people feared that it would spread discord among the people of Papua.

On 27 January President Megawati issued the decree that raised the matter again, apparently as a result of BIN and security leaders encouraging groups of Papuans to lobby for the change to three provinces. The decree was issued without consultation with local communities, the provincial government, or leaders of religious and other civil society organizations. Malcontent Papuan political elements were mobilized by Provincial Secretary Decky Asmuruf and Brigadier General (ret) Abraham Atururi, the former regent of the Sorong Regency who had lost against the current governor, Jaap Solossa, during the election rally in 1999. Shortly after the decree was issued, the Ministry of Home Affairs appointed Asmuruf as the chair of the assistance team for the pemekaran. During interviews with journalists, Asmuruf made no secret of his aspiration to become governor of Central Irian Jaya.

Despite growing controversy over the status of the province, the Minister of Home Affairs, Hari Sabarno,

inaugurated Atururi as the governor of West Irian Jaya in November, leading to a barrage of criticism from Papuan leaders and people. The Speaker of the Papua provincial legislature, John Ibo, said that the inauguration contradicted a recommendation issued by the People's Consultative Assembly during its latest annual session, recommending that the government should revise the law on the division of Papua. Atururi arrived in Manokwari in February to start work on the establishment of new provincial headquarters. On the way from Jakarta he stopped in Jayapura to present to Speaker Ibo an official BIN statement signed by its head, Lieutenant General (ret) Hendropriyono, saying that Atururi has the authority to establish West Irian Jaya. According to a Manokwari-based legal-aid organization, local customary leaders were supporting the creation of a new province because the division plans would lead to the establishment of twenty-eight new regencies, including Teluk Bintuni. The importance attached to the creation of a separate Teluk Bintuni regency is related to the operations of the Tangguh liquified natural gas plant in the area, managed by British Petroleum. The new regency, and the new province of West Irian Jaya of which it is part, will be abundantly rich in natural resources.

In Timika, the headquarters of the other new province, Central Irian Jaya, riots broke out when the head of the Timika legislative council, Andreas Anggaibak, supported by a group called "Group of Seven Tribes," announced the official establishment

of the province in late August. Anggaibak's alliance met with opposition from a youth group of the Amungme people led by Yopie Kilangin and supported by other ethnic groups in the regions. The conflict about pemekaran is an extension of older disputes between the communities close to the Freeport mining operations, relating to the misuse of company funds and collaboration with the military in the region. This year's outbreak of violence, during which five people were killed and dozens were injured, will not be the last until the social divisions are settled through the development of a sustainable plan for the extraction of resources and progress for the local communities.

For the pro-pemekaran players in Papua the game revolves largely around personal status, access to the territory's riches, and the Otsus funds. These funds are obtained from 2 percent of the total amount of the state budget and amounted to around 1.3 trillion rupiah (about US\$15.8 million) for the 2003 fiscal year. That the appointed governor of West Irian Jaya also supports the implementation of Otsus makes sense in this respect. Another possible motive for the partitioning of Papua concerns the role played by the military. One inevitable consequence of the creation of three provinces in Papua will be a significant increase in the number of troops in the territory. Each of the separate provinces will have its own regional military command (Kodam), with its network of district and sub-district commands (Koramil and Korem), at a more substantial level than presently exists. That this will

likely create a more effective system of repression throughout the territory arouses the suspicion that this may have been a major reason for dividing Papua.

As it will take at least ten years to get things running efficiently and because the capabilities of newly recruited personnel will initially be limited, the power and quality of the new civil administrations will be poor. In such a situation corruption and nepotism are likely to thrive, leading to more disenchantment among local people and stimulating local atrocities as well as violent protests. This may well pave the way for the Kodams to virtually establish military rule, and when necessary, impose martial law in response to unrest. Moreover, the National Military Forces will gain more opportunities to raise funds from external sources to supplement the 30 percent of its budget that is provided by the state. Central Irian Jaya has the world's largest gold and copper mine, operated by Freeport McMoRan. The security of the mine has so far been under TNI control, allowing the company access to profitable deals and virtual freedom of movement under the Suharto regime, and leading to an appalling record of human rights violations. The attempt of British Petroleum to build trust among the local communities in the Bintuni Bay, and involve them as stakeholders in the Tangguh operations, appears to have prompted elements of the armed forces to destabilize the region, thereby promoting the impression that they are needed to safeguard the operations from "Papuan rebels."

The politics and controversies surrounding the issue of pemekaran were widely discussed in the national news, generally in terms of the gradual acceptance of the politics of chaos as a way to gain political power and to secure access to resources and revenues. It was also argued that any division of administrative organization in Papua should be based on a thorough assessment of social and cultural realities. The focus should be on improving the quality and efficiency of governance at the district levels, and the creation of more districts with borders that match cultural, linguistic, and customary boundaries. Otsus provides for a fair representation of all groups in Papua and the division plans have frustrated those Papuans who were hoping that a Papuan representative council would allow local communities to play a democratic role in the development of their land.

Since the beginning of Megawati's presidency, the people of Papua seem to have no choice but to add the prospects of Otsus to the already extensive history of unfulfilled promises made by Jakarta. Again, their memories are imprinted with the failure of Jakarta in bringing social justice and opportunity to its citizens in Papua. Instead, policies have favored opportunities for the elite to gain access to sources of wealth. Having secured access to political power and lucrative business deals, significant numbers of the elite in Papua have ceased to insist on further reform; instead, they seek order and stability. At the same time, Jakarta feels ever freer to derail the dialogue-based

reconciliation initiatives of Papuans and their powerful and instructive nonviolent responses to military-instigated terror.

Amid significant international support for Otsus as the best available option to curtail the conflict in Papua and provide a better future for the Papuans, the National Intelligence Agency and the National Military Forces seemed to fear that all of this would give impetus to groups in Papua and foreign nongovernment organizations advocating independence. At the same time, Jakarta sees that the US and most European governments are most likely to agree to a crackdown on the "terrorist" Free Papua Movement (Organisasi Papua Merdeka, or OPM). In a spate of public speeches and during official meetings, military leaders and security people used rhetoric that downgraded the involvement of the military in terrorizing Papuan communities and emphasized the need to curtail terrorist activities that might destabilize the region. For example, the protest in Papua in early February about the pemekaran was followed quickly by responses of the Coordinating Minister for Political and Security Affairs, Major General (ret) Susilo Bambang Yudhoyono, among others, stating that the international community should stop meddling in Indonesia's internal affairs.

Yudhoyono's attack was directed against foreign researchers and nongovernment organizations, particularly from Australia and the Netherlands, who are trying to mobilize support for the independence of West Papua, as such individuals and groups

did in East Timor in the years before independence was achieved there. Two days before the end of 2002, Yudhoyono declared that the Otsus status accorded to Papua (and Aceh) would be final, and any move to secede from the country would not be tolerated. He stated that there was no possibility for the two provinces to hold a vote of self-determination like that held in East Timor. Yudhoyono said that he knew that "political elements" from Papua had gone to many countries to get support, including the United States, Europe, Australia, and New Zealand. President Megawati broached the issue of international pro-separatist groups during a visit of Australian Prime Minister John Howard in February. A few months later Howard offered to investigate all aid agencies working in Indonesia using Australian government funding.

In late 2002, the national news featured I Made Pastika, named *Time's* Asian Newsmaker of the Year for his outstanding performance in finding the alleged perpetrators behind the Bali bombing. Not mentioned was his role as head of the police investigation into the killing of two American citizens and one Indonesian during an ambush near Timika of buses transporting schoolchildren of the Freeport international school on 31 August 2002. The investigation established convincingly that the shooting was the work of TNI Special Forces (Kopassus), and that it appeared to be related to their recent struggle with Freeport over alleged stealing of company property and demands for a financial increase of the security deal. With Pastika busy heading the investi-

gation into the Bali bombing, Papua lost an unusually daring head of police and there was a risk that the spotlight would come off the terrorist actions of Kopassus.

Nevertheless, Indonesia came under pressure from the United States because of the Timika ambush. In mid-January 2003, Nancy Spier, whose husband Rich Spier was killed during the ambush, lobbied US administration and congressional representatives to halt the International Military Education and Training (IMET) funding. Spier claims there is evidence that the Indonesian military was behind the ambush. Congress had first voted to restrict IMET funds for Indonesia in response to the 12 November 1991 Santa Cruz massacre in East Timor. All military ties were severed in September 1999 as the Indonesian military and its militia proxies razed East Timor following its pro-independence vote. Spier's campaign contributed positively to the discussion and the decision to suspend the funding for the training. Further information emerged in March about one of the possible motivations for TNI involvement in the ambush—to pressure the mining company to keep up protection payments to the military. A leaked report prepared for Freeport shareholders revealed that the company had paid over US\$11 million to the army over the last two years as part of this extortion racket. Previously the company had admitted to making a one-off payment of US\$37 million to establish a military base camp but denied making regular payments.

US legislators were obviously concerned about being seen to be

completely indifferent to the possible murder of two US citizens. On 16 July, the House of Representatives amended the Foreign Relations Authorization Act for 2004–2005 to bar IMET funding for Indonesia until it is certified that Indonesia is taking effective measures to investigate and prosecute those responsible for the Freeport murders. In late 2003, the US Congress approved US\$4 million for the Indonesian military for counterterrorist training. Early in 2004 there was talk about a joint police and military inquiry into the Timika ambush, which would be conducted in cooperation with the FBI. However, during the FBI's initial efforts to investigate, TNI officials would not let soldiers in Papua be interviewed without superiors present or permit the FBI to conduct forensic tests on evidence. It was only after Washington linked military assistance to cooperation that the FBI was allowed to bring home some evidence for analysis. It was widely discussed in international media that by focusing primarily on terrorism the United States is progressively committing a political blunder in Indonesia. It is much more important to assist the Indonesian government and Indonesian civil society in building democratic institutions, as well as revitalizing the economy and the educational system.

This year saw both the departure and the full-swing return of Kopassus. Kopassus withdrew from Papua after investigations revealed that twelve Kopassus members were behind the brutal assassination of Papuan leader Theys Hiyo Eluay in November 2001. At the farewell ceremony in late February, the TNI provincial chief, Major

General Mahidin Simbolon, stated that the team would not be replaced, considering the stable security situation in Papua. The trial of Kopassus members in relation to the killing of Eluay began on 3 January. Right after the beginning of the trial, military commander General Endriartono Sutarto maintained that a separatist group in Papua had been struggling to establish a public perception that the military was involved in a series of violent acts. On the same occasion, Indonesian National Police Chief General Da'i Bachtiar said that the police had always been impeded by gunshots during investigation of violent crime scenes in Papua. In April, the military court in Jakarta found seven Kopassus soldiers guilty of involvement in the death of Eluay and imposed relatively light prison sentences ranging from two to three-and-a-half years. These light sentences sent the message to the people of Papua that it is still very hard for them to receive justice.

On 4 April, the military command post Kodim 1702 in the central highland district of Jayawijaya was attacked by what the military quickly reported to be a group of OPM rebels. Some ten people seized twenty-nine M-16 machine guns, pistols, and a significant amount of ammunition. Two soldiers and one of the attackers died during the attack. Within a few days, Brimob (the mobile brigade of the police) and Kopassus troops from military headquarters in Jakarta were sent to Wamena for intensive military investigation. The raid of the Kodim office provided a clear excuse for Kopassus to return to Papua. Soon after the return of Kopassus, senior

TNI officials admitted publicly that soldiers may have been involved in the attack on the Kodim armory. Even so, the military response to the Kodim ambush was harsh. After a few days, the military commander for Papua, Brigadier General Nurdin Zainal, announced that the operation would continue until all the missing weapons were found. Within five days they recovered nineteen weapons, but the operation continued. Toward the end of April, nine staff members of the military office in Wamena were transferred to the Kodam in Jayapura in connection with their involvement in the incident. So far, excessive verdicts have been passed on the "OPM" weapon thieves and thirteen "OPM leaders" in Wamena who were suddenly arrested and some of them were secretly transferred to the court in Jakarta. The Jayapura-based military command alleged that only a few houses had been burned during the operation because they were used as hiding places for OPM members.

An ad hoc team called Coalition, consisting of NGO workers and people from religious organizations, was set up to monitor the case and to provide legal aid to the arrested. They encountered great difficulties in getting access to the region and in being able to visit and talk to the detained. In late May, the military in Wamena managed to intimidate seven witnesses to withdraw incriminating statements they have made in their testimony to the Coalition. At the same time, two members of the Coalition were interrogated by the military without having been charged. Nevertheless, in the months following the attack on the Kodim armory, the

Coalition was able to confirm a spate of communications about burning of tens of houses; destruction of villages (most notably the village of Kwiya-wagi in the Kuyawage district); rape of women; indiscriminate killing of men; and over a thousand people seeking refuge in Tiom, Ilaga, and Mulia. Moreover, the Coalition's lobby toward the Indonesian Human Rights Commission (Komnas HAM) and regular calls from leaders of religious groups in Papua resulted in the formation of an investigative team in mid-July that was scheduled to commence its investigations in August. It took until January 2004 before it was officially announced that a Komnas HAM team would begin to probe human rights violations in Papua.

Over the course of the year, it became increasingly difficult for human rights and legal aid organizations to conduct their work freely, in an atmosphere of ongoing harassment and intimidation. On 29 December 2002, the *Jakarta Post* reported that unidentified men shot four women, including Elsie Rumbiak Bonay, the wife of Joanis G Bonay, director of the Papua-based Institute for Human Rights Study and Advocacy (ELSHAM). The shooting happened near an immigration post close to the Indonesia-Papua New Guinea border. The police failed to hold an on-site investigation after gunmen fired at a joint police-military convoy heading for the site of the shooting. Two military personnel were wounded in the attack. National newspapers reported that the head of the Kodam believed that Mathias Wenda, a prominent OPM member, was responsible for the shootings. ELSHAM speculated that

the attack against Bonay's wife might be related to the human rights group's recent accusation that the military was behind the August 2002 Freeport ambush. In June 2003, the new TNI military commander, Major General Nurdin Zainal (who replaced Brigadier General Simbolon, reassigned to the army's command in Jakarta because of his links to the Timika attack) proceeded with a lawsuit against ELSHAM regarding the organization's initial findings in its investigation into the Timika shooting. Since then, ELSHAM workers, legal aid activists, and their relatives have increasingly received threats in connection with their statements to the media regarding the Timika and Eluay cases.

The behavior of the military led to tensions and stress among local communities, and throughout the year, many people were forced to surrender as OPM members. These surrenders were then reported by the military as the results of their persuasive approach. While the 2002 Freeport shooting appears to be related to concerns over the security deal between Kopassus and the mine, the Wamena case highlights the perverse cooperation between elements of the Free Papua Movement and the security forces. The regional command structures of Kopassus have seemingly unlimited power to terrorize local communities.

Toward the end of 2003, Papua-based newspapers speculated extensively about another strategy pursued by the military to exert control over Papua, reminiscent of the dynamics of the violence that victimized major parts of East Timorese society for

decades. After some two years of unrest in Papua over the establishment of the Laskar Jihad militia in the towns of Sorong and Fak-fak, further rumors circulated about the military helping to establish bases for militias. These were provoked by the reports that a former East Timor militia leader, Eurico Guterres, planned to set up a nationalist youth group called Front Pembela Merah Putih (Red and White Defenders Front) in Timika, and news about the appointment of a new chief of police for Papua, Timbul Silaen, who had been police chief in East Timor during 1998–1999. Guterres worked alongside Silaen in East Timor and was convicted of committing crimes against humanity in East Timor. He has been sentenced to ten years but is not yet imprisoned, as his appeal is pending. Silaen was accused but cleared of a range of crimes in East Timor.

The proliferation of militias is nothing new in Indonesia. The New Order regime under President Suharto made systematic use of civilian militias. While it may have been a standard counterinsurgency tactic, the result was deeper polarization of society in troubled areas, and less accountability on the part of the government. Youth paramilitary groups including Pemuda Pancasila and Banten Pemuda (the latter is now headed by Guterres and is affiliated with Megawati's PDI Perjuangan, or "Democratic Party of Struggle") were formed to mobilize against political opposition on behalf of the ruling party, Golkar. These groups set a precedent for the proliferation of militias after Suharto fell. The problem is

that previously they all answered to Suharto and Golkar; now they answer to a host of different officials and entities at all levels of society.

It is unclear whether the Front Pembela Merah Putih is set up to control the direct presidential election on 5 July 2004 and the election for legislators on 5 April. However, the buildup to the elections will likely be used by the military as an excuse to increase its vigilance in areas that it can present to Jakarta as vulnerable to disruption by rebels. There are numerous tensions that can be triggered into conflict, perhaps the most vulnerable being the widespread opposition to pemekaran. People opposed to this administrative fragmentation are generally politically apathetic or support Golkar, while the supporters of pemekaran, including immigrants, business people, and certain bureaucratic elites, support Megawati's PDI Perjuangan or various Muslim parties. By late 2003, the friction had increased markedly between the Papuan Regional General Elections Commission (KPUD) and the General Elections Commission in Jakarta (KPU) about the appointment of a secretary to the KPUD provincial chapter in West Irian Jaya to verify legislative candidates in the newly formed province. The government of Papua in Jayapura has accused the KPU of being infected with government interests, as acting governor Atururi has required all legislative candidates to accept the new province of West Irian Jaya, even though the province is not mentioned in the Election Law.

The majority of people in Papua are generally not interested in the

elections. They sense the interference of the central government and see that it has no political commitment to solve the prolonged conflict with Papua. In both national and provincial newspapers, critical observers have noted that the elections could turn violent in Papua if political parties supporting pemekaran are defeated. This could provide a convenient legitimization for the military to flex its muscles, which in all probability will lead to violations of human rights, most likely in the highland region of Jayawijaya and locations along the border with Papua New Guinea. In any case, the disconnect between Papua and Jakarta will widen. Government leaders and national policymakers increasingly tend to rely on information they receive from intelligence reports produced by a variety of sources with questionable interests, generally conveying an exaggerated picture of what is happening in Papua.

The unrelenting position of the Indonesian government with respect to carrying Otsus into effect; the pressing ahead with the formation of two new provinces; and the scarcely legitimate and disproportionate military operation in Wamena all bluntly signal the government's inclination toward foolhardiness, violence, intimidation, and injustice. Not surprisingly, many Papuans feel that the previous Suharto-led New Order regime has made a comeback and is again frustrating their often moderate aspirations. The difference from five years ago is that corruption and nepotism are now decentralized, with numerous Papuan leaders playing a part in a system that effectively rewards people

who seek opportunities to redeem past grievances for cash.

This year was characterized by increasing military aggression, a further crippling of the provincial government, and an avalanche of astonishment among the people of Papua about Jakarta's lack of consideration for the concerns of the people and its ignorance of the reasons behind Papuan resentment. Ironically, certain elements in Jakarta who claim to be defending the territorial integrity of the Indonesian Republic, by their actions actually strengthen the secessionist movement, both national and international. Developments in 2003 have again shown that Jakarta's conduct toward Papua falls woefully short of the standards Papuans are entitled to expect from a government that claims to follow the Pancasila-established principles of democracy and pluralism. This bodes ill for the still viable social basis in Papua that supports a peaceful solution through dialogue and increased sovereignty.

JAAP TIMMER

References

- Cenderawasih Pos*. Daily. Jayapura.
- Down to Earth*. Monthly. London.
- Far Eastern Economic Review*. Weekly. Hong Kong.
- Jakarta Post*. Daily. Jakarta.
- Jubi (Jujur Bicara)*. Weekly tabloid. Jayapura.
- Kabar-Irian*. Daily bilingual news service. <www.kabar-irian.com>
- Kompas*. Daily. Jakarta
- New York Times*. Daily. New York.

- NRC Handelsblad*. Daily. Rotterdam.
- Papua Post*. Daily. Jayapura
- Radar Biak*. Daily. Biak.
- Radar Sorong*. Daily. Sorong.
- Radar Timika*. Daily. Timika.
- Suara Pembaruan*. Daily. Jakarta.
- Sydney Morning Herald*. Daily. Sydney.
- TAPOL Bulletin*. Monthly. London.
- Tifa Papua*. Weekly. Jayapura.
- Washington Post*. Daily. Washington.
- International Crisis Group. 2003. *Dividing Papua: How Not To Do It*. Indonesia Briefing, 9 April 2003. Jakarta and Brussels: International Crisis Group.
- McGibbon, Rodd. 2003. Between Rights and Repression: The Politics of Special Autonomy in Papua. In *Local Power and Politics in Indonesia: Decentralisation & Democratisation*, edited by Edward Aspinall and Greg Fealy, 194–213. Singapore: Institute of Southeast Asian Studies.
- Meisburger, Tim, editor. 2003. *Democracy in Indonesia: A Survey of the Indonesian Electorate 2003*. Jakarta: The Asia Foundation.
- Office for Justice and Peace. 2004. *Annual Report 2003*. Jayapura: Office for Justice and Peace, Diocese of Jayapura.
- Van den Broek, Theo. 2003. *Situation in Papua, End of the Year 2003, Reflection*. Socio-Political Notes 6. Jayapura: Office for Justice and Peace, Diocese of Jayapura.